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6 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 JAY LOREN PRATER,

11 Defendant.

3:21-CR-043-MMD-CSD

Preliminary Order of Forfeiture

12 This Court finds Jay Loren Prater pled guilty to Count One of a Two-Count
13 Criminal Indictment charging him with felon in possession of a firearm in violation of 18
14 U.S.C. § 922(g)(1). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 40; Plea
15 Agreement, ECF No. 41.

16 This Court finds Jay Loren Prater agreed to the forfeiture of the property set forth in
17 the Plea Agreement and Forfeiture Allegation One of the Criminal Indictment. Criminal
18 Indictment, ECF No. 1; Change of Plea, ECF No. 40; Plea Agreement, ECF No. 41.

19 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United
20 States of America has shown the requisite nexus between property set forth in the Plea
21 Agreement and Forfeiture Allegation One of the Criminal Indictment and the offense to
22 which Jay Loren Prater pled guilty.

23 The following property is any firearm or ammunition involved in or used in any
24 knowing violation of 18 U.S.C. § 922(g)(1) and is subject to forfeiture pursuant to 18 U.S.C.
25 § 924(d)(1) with 28 U.S.C. § 2461(c):

- 26 1. a Glock 17 9mm pistol bearing serial number ZKE723;
27 2. 18 9mm rounds;
28 3. 2 additional Glock 17 round 9mm magazines; and

1 4. any and all compatible ammunition
2 (all of which constitutes property).

3 This Court finds that on the government's motion, the Court may at any time enter
4 an order of forfeiture or amend an existing order of forfeiture to include subsequently
5 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
6 32.2(b)(2)(C).

7 This Court finds the United States of America is now entitled to, and should, reduce
8 the aforementioned property to the possession of the United States of America.

9 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
10 DECREED that the United States of America should seize the aforementioned property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
12 rights, ownership rights, and all rights, titles, and interests of Jay Loren Prater in the
13 aforementioned property are forfeited and are vested in the United States of America and
14 shall be safely held by the United States of America until further order of the Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
16 of America shall publish for at least thirty (30) consecutive days on the official internet
17 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
18 describe the forfeited property, state the time under the applicable statute when a petition
19 contesting the forfeiture must be filed, and state the name and contact information for the
20 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
21 and 21 U.S.C. § 853(n)(2).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
23 or entity who claims an interest in the aforementioned property must file a petition for a
24 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
25 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
26 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
27 right, title, or interest in the forfeited property and any additional facts supporting the
28 petitioner's petition and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
2 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
3 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty
4 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
5 after the first day of the publication on the official internet government forfeiture site,
6 www.forfeiture.gov.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
8 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
9 Attorney's Office at the following address at the time of filing:

10 Daniel D. Hollingsworth
11 Assistant United States Attorney
12 James A. Blum
13 Assistant United States Attorney
14 501 Las Vegas Boulevard South, Suite 1100
15 Las Vegas, Nevada 89101.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
17 described herein need not be published in the event a Declaration of Forfeiture is issued by
18 the appropriate agency following publication of notice of seizure and intent to
19 administratively forfeit the above-described property.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
21 copies of this Order to all counsel of record.

22 DATED March 24, 2022.

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24 MIRANDA M. DU
25 UNITED STATES DISTRICT JUDGE
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